

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231, ON THE DATE INDICATED BELOW

BY:

Angela Krupczak

DATE:

12-6-00

PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Patent Application of : Group Art Unit: 1633
Darwin J. Prockop *et al.* :
Appln. No.: 08/913,918 : Examiner: Janet M. Kerr, Ph.D.
Filed: December 8, 1997 :
For: ISOLATED STROMAL CELLS : Attorney Docket
AND METHODS OF USING : No. 9855-14U1
THE SAME : (209855.0057)
: (TJU-1857)

**NOTICE OF APPEAL FROM PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Decision dated June 20, 2000, Paper No. 19, of the Primary Examiner finally rejecting claims 37, 38 and 55-68.

The item(s) checked below are appropriate:

☒ A Petition for Extension of Time and a check in the amount of \$445.00 for three (3) month(s) up to and including December 20, 2000, to respond to the final rejection are enclosed.

☐ A Petition for Extension of Time for ___ month(s) to file the Notice of Appeal and our check in the amount of \$ ___ for the extension fee are enclosed.

12/12/2000 CVD111 00000056 08913918 155.00 0P
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☒ Our firm's check in the amount checked below is enclosed.

☒ \$155.00-- a Small Entity Declaration has been filed previously in this case.

☐ \$310.00 -- no Small Entity Declaration is appropriate.

☐ Not required (fee paid in prior appeal).

☐ An oral hearing before the Board of Appeals is respectfully requested.

☐ Our firm's check in the amount indicated below is enclosed for this request for an oral hearing.

☐ \$135.00 - a Small Entity Declaration has been filed previously in this case.

☐ \$270.00 - no Small Entity Declaration is appropriate.

☒ Any additional required fees or any overpayments may be charged or credited to Deposit Account No. 50-1017 (Billing No. 209855.0057), one additional copy of this Notice is enclosed for accounting purposes.

Respectfully submitted,

DARWIN J. PROCKOP ET AL.

December 6, 2000
(Date)

By:

Kathryn Doyle
KATHRYN DOYLE, PH.D., J.D.

Registration No. 36,317

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.

One Commerce Square

2005 Market Street - Suite 2200

Philadelphia, PA 19103

Telephone No.: 215-965-1200

Direct Telephone: 215-965-1284

Facsimile: 215-965-1210

E-Mail: kdoyle@akingump.com

KD/ark

Enclosures (Check; Petition for Three-Month Extension of Time; Amendment after final responsive to Office Action mailed June 20, 2000, Paper No. 19)